

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

NETLIST, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA, INC.  
and SAMSUNG SEMICONDUCTOR, INC.,

Defendants.

Civil Case No. 2:21cv463-JRG

**JURY TRIAL DEMANDED**

**SAMSUNG’S NOTICE REGARDING CO-PENDING ACTION**

Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Semiconductor, Inc. (collectively, “Samsung”) submit this Notice to notify the Court that the oral argument for the Ninth Circuit Appeal regarding whether Samsung remains licensed to Netlist’s patents was held on June 8, 2023, and a video recording of the argument is available at <https://www.ca9.uscourts.gov/media/video/?20230608/22-55209/>. According to the Ninth Circuit’s website (<https://www.ca9.uscourts.gov/general/faq/>), “most cases are decided within 3 months to a year after” oral argument, meaning a decision that could dispose of this entire case, as well as all patent litigation between Netlist and Samsung globally, could issue as soon as September 2023.

Date: June 15, 2023

Respectfully submitted,

/s/ Francis J. Albert

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on June 15, 2023. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Francis J. Albert